

(2025) 11 AP CK 0043

In the Andhra Pradesh High Court

Case No : Criminal Petition No: 11082 Of 2025

Maisha Mayuri And Others

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

Date of Decision : 18-11-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 480, 483

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8(C), 20(b)(ii)(C), 29

Citation : (2025) 11 AP CK 0043

Hon'ble Judges : Dr Y. Lakshmana Rao, J

Bench : Single Bench

Advocate : Venkata Siva Nagaraj Bonkuri, Bonkuri Venkata Siva Nagaraj

Final Decision : Dismissed

Judgement

Dr Y. Lakshmana Rao, J

1. The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the BNSS, seeking to enlarge the Petitioners/Accused Nos.2 and 3 on bail in Crime No.254 of 2025 of Government Railway Police Station(GRPS), Vijayawada NTR (Krishna) District, registered against the Petitioners/Accused Nos.2 and 3 herein for the offence punishable under Sections 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985(The NDPS Act).

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for the respondent/State.

3. Sri B.V.Siva Nagaraju, learned Counsel for the Petitioners submits that the Petitioners are innocent and have been falsely implicated in the alleged offence, without any cogent evidence linking to the commission of the crime. It is contended that the Petitioners are the sole breadwinner of their family and their arrest would cause undue hardship and prejudice to the dependents of the Petitioners. The Petitioners undertake to abide by any condition that this Court

may impose while granting bail to the Petitioners.

4. It is further submitted that the Petitioners have a permanent place of residence and there is no likelihood of him absconding or evading the process of law. The Petitioners have cooperated with the investigation thus far and assures continued cooperation in future proceedings. It is also urged that the allegations are of a nature that do not warrant custodial interrogation, and if any condition is imposed while granting the bail, Petitioners would not violate it; and it is urged to allow the petition.

5. Per contra, Ms.P. Akhila Naidu, learned Assistant Public Prosecutor strenuously opposed the grant of bail, contending that the investigation is still underway and several material witnesses are yet to be examined. It is submitted that enlargement of the Petitioners on bail at this stage would seriously hamper the progress of the investigation and may result in non-cooperation from the Petitioners. The prosecution further apprehends that the Petitioners, if released, may influence or intimidate witnesses, thereby obstructing the course of justice. It is also urged that there exists a real and imminent risk of the Petitioners absconding and evading the due process of law. Given the gravity of the allegations and the potential threat to the integrity of the investigation, it is submitted that the Petitioners do not deserve the discretionary relief of bail and it is urged to dismiss the bail petition.

6. The Petitioners/Accused Nos. 2 and 3 were arrested at the spot. From the possession of Accused No. 2, 10.15 kgs of ganja was seized, and from the possession of Accused No. 3, 9.7 kgs of ganja was seized. On perusal of the record, Section 29 of 'the NDPS Act,' would squarely attract the case. The investigation is still at a progressive stage. At this stage, granting bail to the petitioners would cause hindrance to the process of investigation. The learned counsel for the petitioners submits that there are no adverse antecedents reported against them.

7. The learned Assistant Public Prosecutor has vehemently opposed grant bail to the Petitioners. This Court is not satisfied that there are reasonable grounds for believing that Petitioner is not guilty of such offence and that he is not likely to commit any offence while on bail.

8. In view of above facts and circumstances of the case, nature and gravity of the allegations leveled against the petitioners, this Court is not inclined to consider request of petitioners for enlarging the petitioners on bail.

9. In the result, the Criminal Petition is dismissed.